

Los Angeles City Council, Journal/Council Proceedings
Wednesday, May 19, 2004
John Ferraro Council Chamber, Room 340, City Hall - 10 am

(For further details see Official Council Files)

(For communications referred by the President see Referral Memorandum)

ROLL CALL - Members present: Cardenas, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (14); Absent: Garcetti (2).

APPROVAL OF THE RECORD OF PROCEEDINGS OF THE COUNCIL MEETING OF
MAY 14 & 17, 2004

COMMENDATORY RESOLUTIONS AND INTRODUCTIONS - SEE PAGE 43

PUBLIC TESTIMONY ON NON-AGENDA ITEMS AT THE CALL OF THE CHAIR -
An opportunity for public testimony was provided.

ROLL CALL NUMBER (#) - INDICATES THE ORDER IN WHICH THE ITEMS WERE ACTED
UPON DURING THE COUNCIL MEETING

Items Noticed for Public Hearing - Items 1-5

**Roll Call #2 - Motion (Miscikowski - Hahn) Adopted to Continue, Unanimous Vote (14);
Absent: Garcetti (1)
(Item Nos. 1-2)**

**ITEM NO. (1) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE
PRESENTED ON JUNE 9, 2004**

03-0197 - HEARING PROTESTS against the proposed improvement and maintenance of the
CD 2 VALLEY SPRING LANE AND TROOST AVENUE (REBALLOT) LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Valley Spring
Lane and Troost Avenue (reballot) Lighting District, in accordance with Sections 6.95-
6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 24, 2004 - Continue hearing and present
Ordinance on JUNE 9, 2004 to consider report of protests to be submitted as
a result of balloting, pursuant to Proposition 218)

ITEM NO. (2) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 9, 2004

03-2772 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 2 WHITSETT AVENUE AND VANOWEN STREET NO. 1 LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Whitsett Avenue and Vanowen Street No. 1 Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 24, 2004 - Continue hearing and present Ordinance on JUNE 9, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (3) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 9, 2004

Roll Call #8 - Motion (Cardenas - Smith) Adopted to Continue, Unanimous Vote (15)

03-2773 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 6 HARTLAND STREET AND WOODLEY AVENUE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Hartland Street and Woodley Avenue Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 24, 2004 - Continue hearing and present Ordinance on JUNE 9, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

**Roll Call #2 - Motion (Miscikowski - Hahn) Adopted to Continue, Unanimous Vote (14);
Absent: Garcetti (1)
(Item Nos. 4-5)**

ITEM NO. (4) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 9, 2004

03-2774 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 5 COLDWATER CANYON DRIVE AND EDEN DRIVE LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Coldwater Canyon Drive and Eden Drive Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 24, 2004 - Continue hearing and present Ordinance on JUNE 9, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

ITEM NO. (5) - PUBLIC HEARING HELD - CONTINUE HEARING AND ORDINANCE TO BE PRESENTED ON JUNE 9, 2004

03-2780 - HEARING PROTESTS against the proposed improvement and maintenance of the CD 12 ZELZAH AVENUE AND HIAWATHA STREET LIGHTING DISTRICT.

Recommendation for Council action:

HEAR PROTESTS against the proposed improvement and maintenance of Zelzah Avenue and Hiawatha Street Lighting District, in accordance with Sections 6.95-6.127 of the Los Angeles Administrative Code and Proposition 218.

(Ordinance of Intention adopted on March 24, 2004 - Continue hearing and present Ordinance on JUNE 9, 2004 to consider report of protests to be submitted as a result of balloting, pursuant to Proposition 218)

Items for Which Public Hearings Have Been Held - Items 6-35

Roll Call #4 - Motion (Cardenas - Weiss) Adopted, Ayes (14); Absent: Garcetti (1) (Item Nos. 6-8)

ITEM NO. (6) - ADOPTED

04-0413 - MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT CD 7 COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone change, incident to Tentative Tract 54213, for property at 15445 West Lassen Street.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-0413 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2003-9945 MND] filed on March 7, 2003.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (APC).

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the North Valley Planning Commission, effecting the zone change, incident to Tentative Tract 54213, from RA-1 to (T)(Q)RS-1 for the proposed subdivision of a new 9-lot single-family development on a 2.07 net acre site at 15431-45 West Lassen Street.

Applicant: DLG Construction, LLC

APCNV 2003-9946 ZC

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - JUNE 1, 2004

(LAST DAY FOR COUNCIL ACTION - JUNE 1, 2004)

ITEM NO. (7) - ADOPTED

04-0414 - MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT
CD 7 COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone change, incident to Tentative Tract 53836, for property at 11476 West Kagel Canyon Street.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-0414 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2002-5234 MND] filed on December 13, 2002.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (APC).

3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the North Valley Planning Commission, effecting the zone change, incident to Tentative Tract 53836, from RA-1 to (T)(Q)RS-1 for the proposed subdivision of a maximum new 7-lot single-family residential development on a 2.34 net acre site at 11476 West Kagel Canyon Street.

Applicant: Nick Eftekhari

APCNV 2002-5233 ZC

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - JUNE 2, 2004

(LAST DAY FOR COUNCIL ACTION - JUNE 2, 2004)

ITEM NO. (8) - ADOPTED

04-0677 - MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT
CD 3 COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change for property at 20326 West Stagg Street.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-0677 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2002-2820 MND] filed on June 14, 2002.
2. ADOPT the FINDINGS of the South Valley Area Planning Commission (APC).

3. PRESENT and ADOPT accompanying ORDINANCE, approved by the South Valley APC, effecting a zone change from RA-1 to (T)R1-1 relative to a parcel map for three parcels served by a private street on 0.46 net acre at 20326 West Stagg Street.

Applicant: Tri X, Huynh and Tung Thi Thanh Quach

APCSV 2002-2821 ZC

4. REMOVE the (T) Tentative classification as described in detail on sheet(s) attached to the Committee report.
5. ADVISE the applicant of "T" Tentative classification time limit as described in the Committee report.

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - JULY 12, 2004

(LAST DAY FOR COUNCIL ACTION - JULY 9, 2004)

ITEM NO. (9) - ADOPTED

Roll Call #9 - Motion (Miscikowski - Reyes) Adopted, Ayes (15)

04-0443 - CONTINUED CONSIDERATION OF MITIGATED NEGATIVE DECLARATION, PLANNING CD 11 AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to Vesting Zone Change and Site Plan Review for property at 7250-70 West Manchester Avenue and 8601-55 Lincoln Boulevard.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-0443 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration filed on May 27, 2003 [ENV 2002-7628 MND].
2. ADOPT the FINDINGS, as amended by the Planning and Land Use Management Committee and approved by the Director of Planning on behalf of the City Planning Commission on April 28, 2004, as the Findings of the City Council.

3. DENY APPEALS filed by Joe Geever and Thomas Geever, Protestants, from the entire determination of the City Planning Commission and THEREBY APPROVE the Site Plan Review for the proposed construction, use and maintenance of a mixed-use project consisting of 539 new multi-family residential units, 27,600 square feet of retail uses (including approximately 16,000 square feet of general retail, 6,600 square feet of neighborhood retail and 5,000 square feet of "high-turnover" restaurant uses) for the proposed Furama Hotel Redevelopment Project at 7250-70 West Manchester Avenue and 8601-55 Lincoln Boulevard.
4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the City Planning Commission, effecting a Vesting Zone Change from C2-1 and P-1 to (T)(Q)RAS4-1, subject to the (Q) Conditions, and amended (T) Condition No. 3.b, as recommended by the Planning and Land Use Management Committee, and approved by the Director of Planning on behalf of the Planning Commission on April 28, 2004, for the proposed construction, use and maintenance of a mixed-use project consisting of 539 new multi-family residential units, 27,600 square feet of retail uses (including approximately 16,000 square feet of general retail, 6,600 square feet of neighborhood retail and 5,000 square feet of "high-turnover" restaurant uses) for the proposed Furama Hotel Redevelopment Project at 7250-70 West Manchester Avenue and 8601-55 Lincoln Boulevard.

Applicant: Decron Properties Corporation

CPC 2003-5554 VZC-SPR

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

5. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
6. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - MAY 23, 2004

(LAST DAY FOR COUNCIL ACTION - MAY 21, 2004)

(Continued from Council meeting of May 4, 2004)

ITEM NO. (10) - ADOPTED

Roll Call #4 - Motion (Cardenas - Weiss) Adopted, Ayes (14); Absent: Garcetti (1)

01-1005 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the 2004-05 S2 Emergency Alert Response System (EARS) Program.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the General Manager, Department of Aging (Aging), or designee to:

- a. Negotiate and execute a contract with Personal Emergency Response Systems, Inc. (PERS) for the delivery of the Citywide EARS Program in the amount of \$202,966 for the period effective April 1, 2004 through March 31, 2005, subject to the review of the City Attorney as to form and legality, and subject to the approval of the Office of the City Administrative Officer (CAO), Contract Enforcement Section, for compliance with the City's contracting requirements, and subject to the availability of funds.
- b. Prepare Controller instructions for any technical adjustments, subject to the approval of the CAO, and authorize the Controller to implement said instructions.

2. AUTHORIZE the Controller to:

- a. Appropriate \$230,323 within the Senior Human Services Program Fund No. 41 J as follows:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
V102	Aging	\$ 27,357
W201	Emergency Alert Response System	<u>202,966</u>
Total		\$230,323

- b. Increase the appropriation within Fund 100 - Department 02 and transfer funds on an as-needed basis (Revenue Source Code Number 4852) as follows:

	<u>Fund</u>	<u>Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	42 J	02	V102	Aging	\$27,357
To:	100	02	1010	Salaries - General	\$24,762
	100	02	2120	Printing & Binding	675
	100	02	3040	Contractual Services	1,020
	100	02	3310	Transportation Expense	525
	100	02	6010	Office & Adm. Expense	<u>375</u>
Total					\$27,357

3. INSTRUCT the City Clerk to place on the Council agenda, as soon as possible after JULY 1, 2004, the following:

- a. Increase the appropriation within the Senior Human Services Program Fund No. 42J by \$80,553 in Account No. W102 (Department of Aging).
- b. Increase the appropriation within Fund 100 - Department 02 and transfer funds on an as-needed basis (Revenue Source Code No. 4852) as follows:

	<u>Fund</u>	<u>Dept</u>	<u>Account</u>	<u>Title</u>	<u>Amount</u>
From:	42 J	02	V102	Aging	\$80,553
To:	100	02	1010	Salaries - General	74,285
	100	02	2120	Printing & Binding	1,422
	100	02	3040	Contractual Services	3,060
	100	02	3310	Transportation Expense	425
	100	02	6010	Office & Adm. Expense	<u>1,361</u>
				Total	\$80,553

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. Approval of the recommendations will allow for the continuation of the Citywide EARS Program funded in the amount of \$310,876 in previously approved Community Development Block Grant funds in the 30th Program Year of the Consolidated Plan.

ITEM NO. (11) - CONTINUED TO MAY 26, 2004

**Roll Call #3 - Motion (Zine - LaBonge) Adopted to Continue, Unanimous Vote (14);
Absent: Garcetti (1)**

02-0934 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the status of the acquisition of property and other expenditures from the Mountain Recreation and Conservation Authority (MRCA) Dedicated Assessment Fund.

Recommendations for Council action:

- 1. NOTE and FILE the MRCA report dated April 20, 2004, relative to the status of the acquisition of property and other expenditures from the MRCA Dedicated Assessment Fund, inasmuch as the report is submitted for information only and no Council action is required.

2. RECEIVE and FILE Motion (Zine - LaBonge - Greuel), relative to the status of the acquisition of property and other expenditures from the MRCA Dedicated Assessment Fund, inasmuch as the MRCA submitted the above referenced report (Recommendation No. 1) in response to said Motion and no Council action is required.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst had completed a financial analysis of this report.

**Roll Call #4 - Motion (Cardenas - Weiss) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 12-15)**

ITEM NO. (12) - ADOPTED

02-2826 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to identifying surplus properties in the lower Arroyo Seco which can be acquired or otherwise used for the development of an inter-connected greenbelt of parks and open space.

Recommendations for Council action, as initiated by Motion (Reyes - Pacheco):

1. INSTRUCT the Department of General Services (GSD), with the participation of the Chief Legislative Analyst (CLA), the Departments of Water and Power, Planning, Recreation and Parks, and Council District One, to form a working group to identify surplus properties in the lower Arroyo Seco communities of Highland Park and Montecito Heights which can be acquired or otherwise used for development of an inter-connected greenbelt of parks and open space in the Arroyo Seco.
2. NOTE and FILE the GSD report dated March 12, 2003, relative to the compilation of properties in the lower Arroyo Seco which can be acquired or otherwise used for the development of an inter-connected greenbelt of parks and open space, inasmuch as the report is submitted for information only and no Council action is required.

Fiscal Impact Statement: Neither the City Administrative Officer nor the CLA has completed a financial analysis of this report.

ITEM NO. (13) - ADOPTED

04-0471 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to a contract amendment with Melendrez Design Partners for as-needed landscape architectural design services.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. APPROVE Amendment No. 1 to Contract No. 3030 with Melendrez Design Partners for as-needed landscape architectural design services, increasing the total contract amount from \$600,000 to \$1.2 million, subject to the review of the City Attorney as to form and legality.

2. AUTHORIZE the President and Secretary, Board of Recreation and Park Commissioners, to execute Amendment No. 1 to Contract No. 3030 with Melendrez Design Partners for as-needed landscape architectural design services, subject to the review of the City Attorney as to form and legality.

Fiscal Impact Statement: The CAO reports that there is no impact on the General Fund. Funding for the fees paid under the terms of the contract is provided within individual project budgets.

ITEM NO. (14) - ADOPTED

- 04-0592 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to the proposed CD 8 inclusion of the Michael J. Connell Carriage House, at 634 West 23rd Street, in the list of Historic-Cultural Monuments.

Recommendation for Council action:

APPROVE the recommendation of the Cultural Heritage Commission (CHC) to include the Michael J. Connell Carriage House, at 634 West 23rd Street, in the list of Historic-Cultural Monuments.

Fiscal Impact Statement: None submitted by the CHC. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (15) - ADOPTED

- 04-0712 - ARTS, PARKS, HEALTH AND AGING COMMITTEE REPORT relative to accepting donations from sponsors of the City's Senior and Caregiver Fairs (Fairs).

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the General Manager, Department of Aging (Aging), to accept donations from sponsors of the Fairs.
2. AUTHORIZE the Office of the Treasurer to open a checking account for Aging that will be used exclusively for the deposits and expenditures associated with the Fairs administered by Aging.
3. INSTRUCT the General Manager, Aging, to report back to Council regarding the final disposition of the proceeds from the fundraising activities of the June 2004 Fair.

Fiscal Impact Statement: The City Administrative Officer reports that there is no General Fund impact. Approval will facilitate the process of depositing donations from sponsors of the City's annual Senior and Caregiver Fairs into a separate checking account that will not involve City funds.

ITEM NO. (16) - CONTINUED TO MAY 26, 2004

Roll Call #17 - Motion (Villaraigosa - Reyes) Adopted to Continue, Unanimous Vote (15)

04-0590 - CONTINUED CONSIDERATION OF COMMERCE, ENERGY AND NATURAL RESOURCES COMMITTEE REPORT relative to a proposed Fourth Amendment to Agreement No. 47040 between Van Ness Feldman, P.C. (Van Ness) and the Department of Water and Power (DWP) to provide the DWP with legal representation in various public utility issues.

Recommendation for Council action:

CONCUR with the Board of Water and Power Commissioners' action on March 16, 2004, Resolution No. 004-226, which authorizes increasing the agreement's expenditure limit to \$2,500,000 per calendar year, and extending the duration from July 31, 2004 to September 30, 2007, to provide the DWP with legal representation in matters relating to generation, transmission, wholesale energy marketing and other public utility issues before federal regulatory agencies, federal courts and legislative bodies.

Fiscal Impact Statement: The City Administrative Officer reports that approval of this proposed Fourth Amendment to Contract No. 47040 with Van Ness will have no impact on the City's General Fund. The current expenditure level of \$5.3 million for the Contract will increase by as much as an additional \$7.5 million for the next three years, with a total amount of up to \$12.8 million over the life of the Contract.

TIME LIMIT FILE - MAY 29, 2004

(LAST DAY FOR COUNCIL ACTION - MAY 28, 2004)

(Continued from Council meeting of May 5, 2004)

**Roll Call #4 - Motion (Cardenas - Weiss) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 17-18)**

ITEM NO. (17) - ADOPTED

03-2510 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to instructing the Block Grant Investment Fund (BGIF) Working Group to meet with Council District Seven to review the Paseo Sepulveda Project for BGIF eligibility.

Recommendation for Council action:

RECEIVE and FILE the Motion (Padilla - Garcetti) relative to instructing the BGIF Working Group to meet with Council District Seven to review the Paseo Sepulveda Project for BGIF eligibility and to prepare any necessary recommendations for implementation or other needed actions to fund the project.

Fiscal Impact Statement: Not applicable.

ITEM NO. (18) - ADOPTED

04-0002 - HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE REPORT and S86 RESOLUTION relative to supporting HR 4057 (Renzi), the Samaritan Initiative Act of 2004, to assist communities in the provision of adequate housing and supportive services to chronically homeless persons nationwide.

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION (Garcetti - Greuel) to include in the City's 2003-04 Legislative Program SUPPORT for HR 4057 (Renzi), the Samaritan Initiative Act of 2004, to assist communities in the provision of adequate housing and supportive services to chronically homeless persons nationwide.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (19) - ADDITIONAL MOTION ADOPTED, AS AMENDED - SEE FOLLOWING - CONTINUED TO JUNE 9, 2004 AND IN THE INTERIM REFERRED TO AUDITS AND GOVERNMENTAL EFFICIENCY AND INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEES

Roll Call #16 - Motion (Hahn - Greuel) Adopted To Continue and Refer, Ayes (8); Noes: Cardenas, Garcetti, Ludlow, Miscikowski, Parks, Smith and President Padilla (7)

03-0063 - INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE REPORT S2 relative to the purchase of the Transamerica Building.

Recommendation for Council action:

RECEIVE and FILE the Motion (Weiss - Cardenas), dated March 3, 2004, relative to a discussion regarding the purchase of the Transamerica Building and a request for its consideration by the Information Technology and General Services (ITGS) and Budget and Finance Committees, inasmuch as the matter has been considered by both the ITGS and Budget and Finance Committees and no Council action is required.

Fiscal Impact Statement: Not applicable.

ADOPTED, *AS AMENDED

ADDITIONAL MOTION (HAHN - GREUEL)

Recommendations for Council action:

1. CONTINUE the entire matter to JUNE 9, 2004 and in the interim refer to the Audits and Governmental Efficiency and Information Technology and General Services Committees (jointly).
- *2. AUTHORIZE the Controller to select an impartial third party real estate expert, on a short term basis, to evaluate the purchase and renovation of the Transamerica Building, including but not limited, to an analysis of the purchase price, the cost of the buildout, and an analysis of other options. *(Garcetti - Zine - Weiss - Greuel)

Roll Call #4 - Motion (Cardenas - Weiss) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 20-26)

ITEM NO. (20) - ADOPTED

02-1912 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an
S8 application for a hardship exemption from provisions of the City's Lincoln Heights Interim
CD 1 Control Ordinance (ICO No. 175154) for property at 2931 North Manitou Avenue.

Recommendation for Council action:

RECEIVE and FILE the hardship exemption application filed by Tim K. Lam from provisions of the City's Lincoln Heights ICO No. 175154 for property at 2931 North Manitou Avenue , inasmuch as the representative on behalf of the applicant has submitted a letter requesting to withdraw the application, and no Council action is required.

Applicant: Tim K. Lam (Henry Ho, representative)

Fiscal Impact Statement: Not applicable.

ITEM NO. (21) - ADOPTED

02-1912 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an
S10 application for a hardship exemption from provisions of the City's Lincoln Heights Interim
CD 1 Control Ordinance (ICO) for the proposed project at 2107 Eastlake Avenue.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Lincoln Heights ICO (Ordinance No. 175154) for the proposed addition of 655 square feet to the existing rear portion of a single-family residence consisting of 6,621 square feet at 2107 Eastlake Avenue, subject to conditions as follows:
 - a. Revise the exterior treatments of the proposed 655 square feet addition to the existing rear portion of the single family dwelling consisting of 6,621 square feet at 2107 Eastlake Avenue. The treatments shall entail siding and wood trimmed, single, vertical, hung windows to match the exterior treatment of the existing single

family dwelling. It is understood that the applicant will be re-using the two existing rear wood trimmed/single-vertical hung windows at the rear and re-installing into the proposed addition.

b. The roof for the addition shall match the existing roof materials.

2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Jesus Zavala (Roger Rodriguez, representative)

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (22) - ADOPTED

03-1308 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the City's Hancock Interim Control Ordinance (ICO) for the proposed project at 306 North Highland Avenue.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Hancock ICO (Ordinance No. 175149) for the proposed remodel and addition of two bedrooms, two baths, and rebuilding of a two car garage with a recreation room over the garage for the property at 306 North Highland Avenue.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Rafael Deutch (Ali Olfati, representative)

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (23) - ADOPTED

03-1308 - PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an application for a hardship exemption from provisions of the City's Hancock Interim Control Ordinance (ICO) for the proposed project at 159 South Norton Avenue.

Recommendations for Council action:

1. GRANT hardship exemption from the City's Hancock ICO (Ordinance No. 175149) for the proposed rebuilding of a detached garage as two-story 23 feet in height and 1,419 square feet for property at 159 South Norton Avenue.
2. ADVISE the applicant that this hardship exemption, if granted by the City Council, is not a permit or license and that any other approvals, permits and licenses required by law must be obtained from the proper agencies.

Applicant: Zazi Pope (Linda Brettler, representative)

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (24) - ADOPTED

01-2351 - PUBLIC SAFETY COMMITTEE REPORT relative to confirmation of the Los Angeles Fire
S1 Department Year 2002 Brush Clearance assessments.

Recommendations for Council action:

1. CONFIRM the 2002 Brush Clearance Assessments, as recommended by the Los Angeles Board of Fire Commissioners (Fire Commissioners), except for the 10 parcels designated by the Fire Department, in its report dated April 28, 2004, attached to the Council file.
2. CONFIRM the Fire Department recommendations, in its report dated April 28, 2004, attached to the Council file, for the 10 parcels listed in connection with Hearing Appeals against the confirmation of assessments for the proposed Year 2002 Brush Clearance.

Fiscal Impact Statement: None submitted by the Fire Commissioners. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (25) - ADOPTED

03-0600 - PUBLIC SAFETY COMMITTEE REPORT relative to Narcotics Analysis Laboratory Trust
S57 Expenditure Plan No. 11.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

APPROVE the expenditure of \$150,000 from the Narcotics Analysis Laboratory Trust Fund No. 863 for the Los Angeles Police Department, Scientific Investigation Division, in accordance with the expenditure plan attached to the file, for the Training Portion of the Expenditure Plan No. 11.

Fiscal Impact Statement: The City Administrative Officer reports that sufficient funds exist within the Narcotics Analysis Laboratory Trust Fund for training. There is no General Fund impact.

ITEM NO. (26) - ADOPTED

04-0726 - PUBLIC SAFETY COMMITTEE REPORT relative to acceptance of Explorer Program funds into the Police Department Trust Fund.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. APPROVE a donation in the amount of approximately \$390,000 from the various Police Department Explorer POST's and Juvenile Division to be placed into the Police Department Trust Fund and AUTHORIZE the Los Angeles Board of Police Commissioners (Police Commission) to accept the donation to be placed into the Trust Fund.
2. REQUEST the City Attorney to prepare and present an Ordinance to amend Section 5.467 of the Los Angeles Administrative Code (LAAC) to add the following language: All interest and other earnings attributable to monies in the fund or to any other separate accounts within the fund shall be credited to the fund or to the account to which it is attributable and shall be devoted to the purpose of the fund.
3. AUTHORIZE the Controller to follow the LAAC Section 5.467, Chapter 75, Article 21, to establish an account in the Police Department Trust Fund No. 885, upon the request from the Police Commission to appropriate and disburse the funds needed for the Explorer POST related expenses.

Fiscal Impact Statement: None submitted by the Police Commission. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (27) - ADOPTED, AS AMENDED - SEE FOLLOWING

Roll Call #10 - Motion (Reyes - Villaraigosa) To Adopt as Amended, Ayes (15)

03-0967 - TRANSPORTATION COMMITTEE REPORT relative to the feasibility of implementing a Pilot Traffic Circle Project at the intersection of Avenue 59, Echo Street, and Hayes Avenue, using the City of Seattle's Traffic Circle Program as a model.

Recommendations for Council action:

1. DIRECT the Department of Transportation (DOT) to work with Councilmember Reyes' Office and the affected agencies to identify funding to implement a Pilot Traffic Circle Project at the intersection of Avenue 59, Echo Street, and Hayes Avenue; and to CONDUCT community outreach to determine the level of community support for this project.
2. DIRECT the DOT to report back in 60 days with a status report on the aforementioned project.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ADOPTED

AMENDING MOTION (REYES - LABONGE)

Recommendation for Council action:

DIRECT the Department of Transportation to inform Neighborhood Councils relative to the use of traffic circles, their advantages, and the potential for neighborhood improvement by their use.

**Roll Call #4 - Motion (Cardenas - Weiss) Adopted, Ayes (14); Absent: Garcetti (1)
(Item Nos. 28-32)**

ITEM NO. (28) - ADOPTED

04-0002 - TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to support for S61 legislation requiring states to spend federal gasoline taxes equitably across their counties.

Recommendation for Council action, pursuant Resolution (LaBonge - Hahn), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION establishing a position of SUPPORT in the City's 2003-04 Federal Legislative Program for legislation requiring states to spend federal gasoline taxes equitably across their counties.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (29) - ADOPTED

04-0002 - TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to support of
S83 Assembly Bill (AB) 392 (Montanez) relating to the creation of an Environmental Justice Subaccount and Community-Based Transportation Planning Subaccount in the State Highway Account (SHA).

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION (Villaraigosa - Reyes) establishing a position of SUPPORT in the City's 2003-04 State Legislative Program for AB 392 (Montanez) relating to the creation of an Environmental Justice Subaccount and Community-Based Transportation Planning Subaccount in the SHA.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the annual transfer of SHA funds is a relatively small amount and should not have a significant impact on the City of Los Angeles. It is likely, however, that there will be added pressure on both Caltrans and Department of Transportation to assist grant recipients in applying and implementing new projects.

ITEM NO. (30) - ADOPTED

04-0002 - TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to opposition for
S84 any state or federal legislation or regulation that would authorize the use of triple trailer trucks or expand the size and weight of commercial trucks in California.

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION (LaBonge - Hahn) establishing a position of OPPOSITION in the City's 2003-04 State Legislative Program for any state or federal legislation or regulation that would authorize the use of triple trailer trucks or expand the size and weight of commercial trucks in California.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (31) - ADOPTED

04-0002 - TRANSPORTATION COMMITTEE REPORT and RESOLUTION relative to support of
S90 Assembly Bill (AB) 2591 (Leno), which would allow local governments to enforce Public Utilities Commission (PUC) regulations regarding charter party carriers operating limousines, towncars and similar vehicles for hire.

Recommendation for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION establishing a position of SUPPORT in the City's 2003-04 State Legislative Program for AB 2591 (Leno), which would allow local governments to enforce PUC regulations regarding charter party carriers operating limousines, towncars and similar vehicles for hire, as recommended by the Department of Transportation.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (32) - ADOPTED

04-0882 - TRANSPORTATION COMMITTEE REPORT relative to negotiating an agreement between the Department of Transportation (DOT) and the Community Redevelopment Agency (Agency) whereby the Agency would be authorized to administer various transportation projects approved and funded in part by the Metropolitan Transportation Authority (MTA).

Recommendations for Council action, pursuant to Motion (Perry - Villaraigosa), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the DOT to negotiate and execute an agreement with the Agency whereby the Agency would be authorized to administer various transportation projects (as listed in the Motion) approved and funded in part by the MTA under its Call-For-Projects process. The City would give to the CRA the necessary matching funds, not to exceed \$1,351,400, on a reimbursement basis.
2. AUTHORIZE the DOT, subject to the approval of the City Administrative Officer (CAO), to make technical adjustments to the above recommendation; and AUTHORIZE the Controller to implement such adjustments.

Fiscal Impact Statement: Neither the CAO nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (33) - ADOPTED, *AS AMENDED - SEE FOLLOWING

Roll Call #11 - Motion (Miscikowski - Reyes) to Adopt as Amended, Ayes (15)

02-0968 - CATEGORICAL EXEMPTION, PLANNING AND LAND USE MANAGEMENT COMMITTEE CD 11 REPORT relative to the operation of the restaurant (Drake's Supper Club) at 23-25 Windward Avenue.

SUBMIT WITHOUT RECOMMENDATION, the recommendations of the Zoning Administrator, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this action is categorically exempt from the California Environmental Quality Act pursuant to Article III, Section 1, Class 5, Category 34 of the City's Environmental Guidelines.

2. ADOPT the FINDINGS of the Zoning Administrator as the Findings of Council ***as amended by adding the following language to Finding No. 2, Page 7, of the ZA Report:**

"The hours of operation were expanded into the lunch time period and reduced in the evening period in order to focus the operation as a dining establishment and decrease the reliance on alcohol sales."

3. RESOLVE TO DENY the appeal filed by Mark Sokol/Robert Graham (John B. Murdock, representative), from part of the Zoning Administrator's (ZA) determination relative to imposed modified conditions of approval on hours of operation, parking, sound attenuation and security for the continued use of the restaurant business known as Drake's Supper Club at 23-25 Windward Avenue.

4. RESOLVE TO GRANT THE APPEAL filed by Werner G. Scharff and Simone H. Scharff Family Trust (Elaine M. Lemke, representative), from part of the determination of the ZA in denying the expansion of operating hours, and finding that the operation of the restaurant Drake Supper Club at 23-25 Windward Avenue resulted in a nuisance, THEREBY SUSTAIN the determination of the ZA for the continued use of the restaurant business known as Drake's Supper Club, subject to the Conditions of Approval, as modified, ~~to permit Drake's Supper Club to operate during lunch time hours,~~ ***amending Condition 9B of the ZA Report to specify hours of operation from 11am to 11pm, seven days a week,** and APPROVE revised Condition No. 7 to require that the business return to the City for an Approval of Plans Review in six months, as oppose to one year.

***(Miscikowski - Reyes)**

Applicant: Drake's Supper Club, Werner G. Scharff and Simone H. Scharff Family Trust

DIR 2000-3597 (RV) (PA 1)

Fiscal Impact Statement: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

TIME LIMIT FILE - MAY 25, 2004

(LAST DAY FOR COUNCIL ACTION - MAY 25, 2004)

**Roll Call #16 - Motion (Hahn - Greuel) Adopted To Continue and Refer, Ayes (8);
Noes: Cardenas, Garcetti, Ludlow, Miscikowski, Parks, Smith and
President Padilla (7)
(Item Nos. 34-35)**

**ITEM NO. (34) - ADDITIONAL MOTION ADOPTED, AS AMENDED - SEE FOLLOWING -
CONTINUED TO JUNE 9, 2004 AND IN THE INTERIM REFERRED TO AUDITS
AND GOVERNMENTAL EFFICIENCY AND INFORMATION TECHNOLOGY AND
GENERAL SERVICES COMMITTEES**

02-2592 - PUBLIC SAFETY, BUDGET AND FINANCE and INFORMATION TECHNOLOGY AND
S1 GENERAL SERVICES COMMITTEES' REPORT relative to the location of the new Los
CD 9 Angeles Police Department headquarters facility.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ADOPT the Public Safety Master Plan, attached to the Council file, as submitted by DMJM/Johnson Fain, pending California Environmental Quality Act clearance.
2. APPROVE Public Safety Master Plan Study A and/or A-1 as submitted by DMJM/Johnson Fain, which locates the new Metro Jail at the corner of Temple and Los Angeles Streets and locates the Police Headquarters Facility, Emergency Operations Center /Police Operations Center/Fire Dispatch Center, Fire Station 4 and related services at the Temple and Alameda property with the exception of the realignment of Judge John Aiso Street and the location of the Public Parking Structure. (This recommendation also does not include placing the communications tower on the Temple/Alameda property.)
3. APPROVE the construction of a 500,000 square foot Police Headquarters Facility to be located at Temple and Alameda Streets.
4. INSTRUCT the Public Safety Master Plan Team to conduct community meetings relative to the location of the Public Parking Structure on Judge John Aiso Street and the realignment of Judge John Aiso Street and report the findings to the Municipal Facilities Committee.
5. DIRECT the Municipal Facilities Committee to report recommendations to the City Council for approval relative to the location of the Public Parking Structure on Judge John Aiso Street and the realignment of Judge John Aiso Street subsequent to the Public Safety Master Plan Team's report.
6. DIRECT the City Administrative Officer (CAO) and REQUEST the City Attorney to prepare and present the necessary Municipal Improvement Corporation of Los Angeles (MICLA) financing documents for the Police Headquarters Facility.

7. DIRECT the Municipal Facilities Committee to report to the Mayor and City Council quarterly on the project progress including information relative to budget and schedule.
8. INSTRUCT the CAO to prepare a staffing plan for the construction of the Police Headquarters Facility and report the recommendations to the City Council for consideration subsequent to the release of the Mayor's proposed Fiscal Year (FY) 2004-05 Budget.

Fiscal Impact Statement: The Chief Legislative Analyst reports that the total cost of adopting Study A or A-1 would be approximately \$305.032 million over a 30 year period.

ADOPTED , *AS AMENDED

ADDITIONAL MOTION (HAHN - GREUEL)

Recommendations for Council action:

1. CONTINUE the entire matter to JUNE 9, 2004 and in the interim refer to the Audits and Governmental Efficiency and Information Technology and General Services Committees (jointly).
- *2. AUTHORIZE the Controller to select an impartial third party real estate expert, on a short term basis, to evaluate the purchase and renovation of the Transamerica Building, including but not limited, to an analysis of the purchase price, the cost of the buildout, and an analysis of other options. *(Garcetti - Zine - Weiss - Greuel)

**ITEM NO. (35) - ADDITIONAL MOTION ADOPTED, AS AMENDED - SEE FOLLOWING -
CONTINUED TO JUNE 9, 2004 AND IN THE INTERIM REFERRED TO AUDITS
AND GOVERNMENTAL EFFICIENCY AND INFORMATION TECHNOLOGY AND
GENERAL SERVICES COMMITTEES**

03-0063 - PUBLIC SAFETY, BUDGET AND FINANCE and INFORMATION TECHNOLOGY AND
CD 9 GENERAL SERVICES COMMITTEES' REPORT relative to the purchase of the
Transamerica Broadway Building.

Recommendations for Council action:

1. INSTRUCT the Chief Legislative Analyst (CLA), with the assistance of the Department of General Services, City Attorney, Bureau of Engineering and other departments as necessary, to proceed with negotiations for the purchase of the Transamerica Broadway Building (Broadway Building) without the Broadway Garage as specified in the owner's proposal.

2. INSTRUCT the Department of General Services and the Bureau of Engineering to proceed with staking plans, tenant improvement designs and schedules for the Broadway Building consistent with the long-term space plans previously approved, but assuming that the Los Angeles Police Department (LAPD) functions in leased space are temporarily relocated to the Broadway Building while the LAPD functions in Parker Center remain until the permanent headquarters facility is completed.

Fiscal Impact Statement: The CLA reports that approval of this report and purchase of the Broadway Building will result in potential additional savings to the City of up to \$29 million over four years and \$58 million over 25 years.

ADOPTED , *AS AMENDED

ADDITIONAL MOTION (HAHN - GREUEL)

Recommendations for Council action:

1. CONTINUE the entire matter to JUNE 9, 2004 and in the interim refer to the Audits and Governmental Efficiency and Information Technology and General Services Committees (jointly).
- *2. AUTHORIZE the Controller to select an impartial third party real estate expert, on a short term basis, to evaluate the purchase and renovation of the Transamerica Building, including but not limited, to an analysis of the purchase price, the cost of the buildout, and an analysis of other options. *(Garcetti - Zine - Weiss - Greuel)

Items for Which Public Hearings Have Not Been Held - Items 36-59

(10 Votes Required for Consideration)

Roll Call #7 - Motion (Miscikowski - Smith) Adopted, Ayes (15)
(Item Nos. 36-38)

ITEM NO. (36) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

03-0954 - COMMUNICATION FROM BUREAU OF STREET LIGHTING and ORDINANCE FIRST CD 6 CONSIDERATION relative to the street lighting improvement entitled, VALERIO STREET AND FAIR AVENUE LIGHTING DISTRICT - A'13-L9670039.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. PRESENT and ADOPT accompanying ORDINANCE abandoning all proceedings for the above street lighting improvement.

2. INSTRUCT City Clerk to file a certified copy with the County Recorder in accordance with Section 3117 of the Streets and Highways Code.
3. AUTHORIZE Controller to expeditiously refund each of the collected installation assessment amounts to the respective property owners who paid them, from the Valerio Street and Fair Avenue Lighting Fund 61G.

(Pursuant to Motion [Cardenas - Smith] adopted by Council on April 6, 2004)

ITEM NO. (37) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

04-0616 - COMMUNICATION FROM THE LOS ANGELES BOARD OF POLICE COMMISSIONERS and ORDINANCE FIRST CONSIDERATION relative to Official Police Officer badges.

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

PRESENT and ADOPT the accompanying ORDINANCE amending Sections 52.00 and 52.15 of the Los Angeles Municipal Code (LAMC) and adding Section 52.27.3 to the LAMC to authorize the Board of Police Commissioners (Board) to issue more than one Official Police Officer's Badge, and permit Regular and Reserve Police Officers to purchase badges upon promotion.

Fiscal Impact Statement: None submitted by the Board. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

(Public Safety Committee waived consideration of the above matter)

ITEM NO. (38) - ADOPTED

00-0005 - RESOLUTION removing the property at 11487 Sherman Way from the Rent Escrow
S79 Account Program [REAP], (Case No. 2972), inasmuch as the owner has corrected the
CD 6 cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's
report of May 12, 2004.

Assessor I.D. No. 2316-025-005
Registration No. None

(Council action of May 31, 2000 placed property into REAP)

**Roll Call #5 - Motion (Reyes - Villaraigosa) Adopted to Continue, Unanimous Vote (14);
Absent: Garcetti (1)
(Item Nos. 39-40)**

ITEM NO. (39) - CONTINUED TO MAY 26, 2004

00-0005 - RESOLUTION removing the property at 1136 South Arapahoe Street from the Rent
S98 Escrow Account Program [REAP], (Case No. 3115), inasmuch as the owner has corrected
CD 1 the cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's
report of May 12, 2004.

Assessor I.D. No. 5076-014-007
Registration No. 0365338

(Council action of July 27, 2000 placed property into REAP)

ITEM NO. (40) - CONTINUED TO MAY 26, 2004

01-0005 - RESOLUTION removing the property at 1136 South Arapahoe Street from the Rent
S55 Escrow Account Program [REAP], (Case No. 3486), inasmuch as the owner has corrected
CD 1 the cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's
report of May 12, 2004.

Assessor I.D. No. 5076-014-007
Registration No. 0365338

(Council action of March 21, 2001 placed property into REAP)

**Roll Call #7 - Motion (Miscikowski - Smith) Adopted, Ayes (15)
(Item Nos. 41-46)**

ITEM NO. (41) - ADOPTED

04-0005 - RESOLUTION removing the property at 11016-18 Sutter Avenue from the Rent Escrow
S185 Account Program [REAP], (Case No. 4719), inasmuch as the owner has corrected the
CD 7 cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's
report of May 12, 2004.

(Notice of Acceptance in the REAP/Rent Reduction Program was sent on December 12, 2001)

ITEM NO. (42) - ADOPTED

04-0005 - RESOLUTION removing the property at 3408 West Sunset Boulevard from the Rent
S186 Escrow Account Program [REAP], (Case No. 5953), inasmuch as the owner has corrected
CD 13 the cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's
report of May 12, 2004.

Assessor I.D. No. 5427-026-009
Registration No. None

(Notice of Acceptance in the REAP/Rent Reduction Program was sent on December 19, 2002)

ITEM NO. (43) - ADOPTED

04-0005 - RESOLUTION removing the property at 3408 West Sunset Boulevard from the Rent
S186 Escrow Account Program [REAP], (Case No. 6384), inasmuch as the owner has corrected
CD 13 the cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's
report of May 12, 2004.

Assessor I.D. No. 5427-026-009
Registration No. None

(Notice of Acceptance in the REAP/Rent Reduction Program was sent on July 3, 2003)

ITEM NO. (44) - ADOPTED

04-0005 - RESOLUTION removing the property at 16310 South Bonsallo Avenue from the Rent
S187 Escrow Account Program [REAP], (Case No. 6940), inasmuch as the owner has corrected
CD 15 the cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's
report of May 12, 2004.

(Notice of Acceptance in the REAP/Rent Reduction Program was sent on November 6, 2003)

ITEM NO. (45) - ADOPTED

04-0005 - RESOLUTION removing the property at 542 South Normandie Avenue from the Rent
S188 Escrow Account Program [REAP], (Case No. 7221), inasmuch as the owner has corrected
CD 13 the cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's
report of May 12, 2004.

Assessor I.D. No. 5520-011-032
Registration No. None

(Notice of Acceptance in the REAP/Rent Reduction Program was sent on February 25, 2004)

ITEM NO. (46) - ADOPTED

04-0005 - RESOLUTION removing the property at 7846 Troost Avenue from the Rent Escrow
S189 Account Program [REAP], (Case No. 7380), inasmuch as the owner has corrected the
CD 6 cited REAP violations and provided proof of compliance with the Los Angeles Housing
Department, Code Enforcement Unit, habitability citations, pursuant to Ordinance No.
173810, and ADOPT the Findings contained in the Los Angeles Housing Department's
report of May 12, 2004.

Assessor I.D. No. 2311-014-003
Registration No. None

(Notice of Acceptance in the REAP/Rent Reduction Program was sent on April 6, 2004)

ITEM NO. (47) - CONTINUED TO MAY 26, 2004

Roll Call #6 - Motion (Garcetti - Ludlow) Adopted to Continue, Unanimous Vote (15)

04-0005 - CONTINUED CONSIDERATION OF RESOLUTION removing the property at 1759 Orchid
S173 Avenue from the Rent Escrow Account Program [REAP], (Case No. 4322), inasmuch as
CD 13 the owner has corrected the cited REAP violations and provided proof of compliance with
the Los Angeles Housing Department, Code Enforcement Unit, habitability citations,
pursuant to Ordinance No. 173810, and ADOPT the Findings contained in the Los Angeles
Housing Department's report of April 28, 2004.

(Notice of Acceptance into the REAP/Rent Reduction Program was sent on November 16, 2001)

(Continued from Council meeting of May 12, 2004)

**Roll Call #7 - Motion (Miscikowski - Smith) Adopted, Ayes (15)
 (Item Nos. 48-49)**

ITEM NO. (48) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS

00-2349 - COMMUNICATION FROM CHAIR AND VICE-CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to receiving a grant in the amount of \$50,000 from the United States Department of Commerce, Minority Business Development Agency (MBDA) to extend the Los Angeles Minority Business Opportunity Committee (LA MBOC) through February 29, 2004, and related matters.

Recommendations for Council action, pursuant to Motion (Garcetti - Hahn), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. APPROVE a funding Agreement between the Mayor's Office of Economic Development (MOED) and MBDA in the amount of \$50,000 for the period December 31, 2003 through February 29, 2004; and, AUTHORIZE the Mayor, or designee, on behalf of the City, to accept the funds and to execute the agreement with MBDA, subject to the approval of the City Attorney as to form and legality.
2. APPROPRIATE the amounts listed below in the established accounts in Fund No. 575/46, Los Angeles Minority Business Opportunity Committee, in the following budget categories listed below for the 9th Program Year commencing on June 1, 2003 through extended date of February 29, 2004:

<u>Account</u>	<u>Title</u>	<u>Federal Share</u>	<u>Non-Federal</u>	<u>Total</u>
V146	Salaries	\$ 50,000	\$ 9,879	\$ 59,879
xxxx	Fringe Benefits		14,599	14,599
V201	Travel		1,773	1,773
V202	Supplies		1,557	1,557
V203	Other (outreach, printing)		1,491	1,491
xxxx	Central Services	_____	<u>30,478</u>	<u>30,478</u>
	Total	\$ 50,000	\$ 59,777	\$109,777

3. RESOLVE, that continued Employment Authority for the following seven positions in MOED, retroactively from January 1, 2004 through February 29, 2004, is APPROVED:

<u>No.</u>	<u>Code</u>	<u>Title</u>
1	0148	Mayoral Aide VIII
2	0147	Mayoral Aide VII
1	0146	Mayoral Aide VI
1	0144	Mayoral Aide IV
1	0143	Mayoral Aide III
1	0142	Mayoral Aide II

4. TRANSFER \$59,879 from Fund No. 575/46/V146 (Mayor-Minority Business Opportunity Committee) to Fund No. 100/46/1020 (Salaries-Grant Reimbursed).

5. AUTHORIZE the use of established Fund No. 575 on an expedited basis as requested by MOED/LA MBOC to receive and disperse funds from MBDA administered by MOED.

6. TRANSFER to Fund No. 100/46, on an as-needed basis and supported by proper documentation upon proper demand by MOED/LA MBOC.

7. REQUEST that the Director, MBOC report to the Housing, Community, and Economic Development Committee in 30 days relative to the status of all LA MBOC activities.

Fiscal Impact Statement: None submitted by the Mayor's Office. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

ITEM NO. (49) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS - TO THE MAYOR FORTHWITH

04-0307 - COMMUNICATION FROM CHAIR AND VICE-CHAIR, HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE relative to extending the Alameda Corridor Business Outreach Program (ACBOP) from March 31, 2003 through December 31, 2003, as approved by the Economic Development Administration (EDA), and related matters.

Recommendations for Council action, pursuant to Motion (Hahn - Garcetti), SUBJECT TO THE APPROVAL OF THE MAYOR:

1. ACCEPT and APPROVE a time extension approved by the EDA extending the ACBOP from March 31, 2003, through December 31, 2003.

2. REESTABLISH appropriate accounts in Fund No.669, Alameda Corridor Business Outreach Program, in the following budget categories listed below for the 5th Program Year commencing on January 1, 2002, through extended date of December 31, 2003, to reflect the revised totals shown for each account:

<u>Account</u>	<u>Title</u>	<u>Federal Share</u>	<u>Non-Federal</u>	<u>Total</u>
S146	Salaries	\$133,571	\$ 60,193	\$193,764
XXXX	Fringe Benefits		31,661	31,661
S101	Contractual Services			
S102	Travel	2,668		2,668
S103	Supplies	5,226		5,226
S104	Other (outreach, printing)	8,535		8,535
S105	Equipment			
XXXX	Central Services		<u>92,174</u>	<u>92,174</u>
	Total	\$150,000	\$184,028	\$334,028

3. APPROPRIATE \$61,423 from Fund No. 669/S146 (Mayor-Alameda Corridor Business Outreach Program) to Fund No. 100/1020 (Salaries-Grant Reimbursed).

4. AUTHORIZE use of established Fund No. 669 on an expedited basis as requested by Mayor's Office of Economic Development(MOED)/ACBOP to receive and disperse funds from the EDA administered by MOED.

5. TRANSFER to Fund No.100/46 on an as-needed basis supported by proper documentation upon proper demand by MOED/ACBOP.

Fiscal Impact Statement: None submitted by the Mayor's Office. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

**ITEM NO. (50) - MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATIONS,
*AS AMENDED - SEE FOLLOWING**

Roll Call #12 - Motion (Cardenas - Padilla) to Adopt as Amended, Ayes (15)

02-2742 - COMMUNICATION FROM THE SEISMIC GOVERNANCE COMMITTEE relative to a transfer of funds to the Department of General Services (GSD) for the Van Nuys City Hall Project.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. AUTHORIZE the Controller to:

- a. Transfer ~~\$105,194.93~~ ***\$103,876.34** within Seismic Bond Fund No. 158/50 from Account No. E237, entitled Van Nuys City Hall, to Account No. V140, entitled GSD, and appropriate therefrom to the GSD Fund No. 100/40, Account No. 1014, entitled Salaries, Construction.
- b. Transfer \$3 million within Seismic Bond Fund No. 184/50 from Account No. J437, entitled Van Nuys Municipal Building, to Account No. V140, entitled GSD, and appropriate therefrom to the following accounts with the GSD Fund 100/40:

<u>Account</u>	<u>Title</u>	<u>Amount</u>
1014	Salaries, Construction	\$ 814,805.07
1101	Hiring Hall, Construction	1,400,000.00
1121	Hiring Hall, Fringe Benefits	400,000.00
3180	Construction Materials	<u>385,194.93</u>
	Total	\$ 3,000,000.00

- c. Transfer ~~\$1,814,805.07~~ ***\$1,816,123.66** within Seismic Bond Fund No. 189/50 from a new Account entitled Van Nuys City Hall to Account No. V140, entitled GSD, and appropriate therefrom to the GSD Fund No. 100/40, Account No. 3180, entitled Construction Materials.

***(Cardenas - Padilla)**

2. INSTRUCT the Department of Public Works, Bureau of Financial Management and Personnel Services, to transfer cash from the Bond funds to reimburse the General Fund, on an as-needed basis, upon receipt of proper documentation from the GSD.

Fiscal Impact Statement: The Seismic Governance Committee reports that there is no impact to the General Fund. Funding is available in the Seismic Bond Program.

(Public Works Committee waived consideration of the above matter)

ITEM NO. (51) - ADOPTED - FORTHWITH

Roll Call #13 - Motion (Smith - Perry) Adopted, Ayes (15)

04-0960 - CONSIDERATION OF MOTION (SMITH - PERRY) relative to acceptance of pro bono consultation services by Mr. Dave Dybdahl, to aid the City Risk Manager in his negotiation of the insurance policy involving the Sunshine Canyon Landfill.

Recommendations for Council action:

1. ACCEPT Mr. Dybdahl's offer of pro bono consultation services to aid the City Risk Manager in his negotiation of the insurance policy against third party claims that may result from the operation, closure and post closure of the Sunshine Canyon Landfill.
2. THANK Mr. Dybdahl for his generosity.
3. INSTRUCT the City Risk Manager to consult with Mr. Dybdahl regarding the most prudent approach to meeting the City insurance needs in connection with the Sunshine Canyon Landfill.

(Budget and Finance Committee waived consideration of the above matter)

**Roll Call #7 - Motion (Miscikowski - Smith) Adopted, Ayes (15)
(Item Nos. 52-54)**

ITEM NO. (52) - ADOPTED

04-0958 - MOTION (REYES - SMITH) relative to declaring the Asian Pacific American Heritage Month ceremony on May 15, 2004 a Special Event (fees and costs absorbed by the City = \$3,382).
CD 1

Recommendation for Council action:

DECLARE the Asian Pacific American Heritage Month, celebrated and sponsored by the Historic Highland Park Neighborhood Council on May 15, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, INCLUDING insurance.

ITEM NO. (53) - ADOPTED

04-0959 - MOTION (REYES - SMITH) relative to declaring the Pico-Union Library Grand Opening on May 17, 2004 a Special Event (fees and costs absorbed by the City = \$1,226).
CD 1

Recommendation for Council action:

DECLARE the Pico-Union Library Grand Opening, sponsored by the Library Department on May 17, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, INCLUDING insurance.

ITEM NO. (54) - ADOPTED

02-1141 - MOTION (PARKS - PERRY) relative to declaring the Third Annual Juneteenth Jamboree Community Celebration on June 19, 2004 a Special Event (fees and costs absorbed by the City = \$350).

Recommendation for Council action:

DECLARE the Third Annual Juneteenth Jamboree Community Celebration, sponsored by the Hyde Park Block Club on June 19, 2004, a "Special Event" and INSTRUCT the involved City departments to perform such services as detailed in the Motion, including the waiver of all fees (costs absorbed by the City) and requirements, except insurance.

ITEM NO. (55) - ADDITIONAL MOTION ADOPTED, AS AMENDED - SEE FOLLOWING - CONTINUED TO JUNE 9, 2004 AND IN THE INTERIM REFERRED TO AUDITS AND GOVERNMENTAL EFFICIENCY AND INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEES

Roll Call #16 - Motion (Hahn - Greuel) Adopted To Continue and Refer, Ayes (8); Noes: Cardenas, Garcetti, Ludlow, Miscikowski, Parks, Smith and President Padilla (7)

03-0063 - MOTION (MISCIKOWSKI - PARKS) relative to instructing the Chief Legislative Analyst S3 (CLA) to submit a report to the City Council in connection with the purchase of the CD 9 Broadway Building at 1149 South Broadway.

Recommendation for Council action:

INSTRUCT the CLA to submit a report, concurrent with the Council's consideration of the purchase of the Broadway Building, summarizing all agreements related to the City's purchase and buildout of this property at 1149 South Broadway, as well as all remaining financial, legal, and technical recommendations that will be needed to effectuate this transaction.

ADOPTED , *AS AMENDED

ADDITIONAL MOTION (HAHN - GREUEL)

Recommendations for Council action:

1. CONTINUE the entire matter to JUNE 9, 2004 and in the interim refer to the Audits and Governmental Efficiency and Information Technology and General Services Committees (jointly).

- *2. AUTHORIZE the Controller to select an impartial third party real estate expert, on a short term basis, to evaluate the purchase and renovation of the Transamerica Building, including but not limited, to an analysis of the purchase price, the cost of the buildout, and an analysis of other options. *(Garcetti - Zine - Weiss - Greuel)**

CONTINUED AND REFERRED

AMENDING MOTION (PARKS - MISCIKOWSKI)

Recommendations for Council action:

The recommendations below will effectuate the development of the new Police Headquarters Facility, Metro Jail, Emergency Operations Center/Police Operations Center/Fire Dispatch Center (EOC/FDC), Fire Station 4 and related services:

- 1. ADOPT the Public Safety Master Plan, attached to Council file No. 02-2592-S1, as submitted by DMJM/Johnson Fain, pending California Environmental Quality Act clearance.**
- 2. APPROVE Public Safety Master Plan Study A and/or A-1 as submitted by DMJM/Johnson Fain, which locates the new Metro Jail at the corner of Temple and Los Angeles Streets and locates the Police Headquarters Facility, the EOC/FDC, Fire Station 4 and related services at the Temple and Alameda property with the exception of the realignment of Judge John Aiso Street, the location of the Public Parking Structure, and the placement of the Communications Tower on the Temple/Alameda property.**
- 3. APPROVE the construction of a Police Headquarters Facility of 500,000 square feet in size to be located at Temple and Alameda.**
- 4. DIRECT the Municipal Facilities Committee to report back with recommendations relative to the location of the Public Parking Structure on Judge John Aiso Street and the Communications Tower.**
- 5. DIRECT the City Administrative Officer (CAO) and City Attorney to prepare and present the necessary Municipal Improvement Corporation of Los Angeles financing documents for the Police Headquarters Facility.**
- 6. DIRECT the Municipal Facilities Committee to report to the Mayor and City Council quarterly on the project progress including information relative to budget and schedule.**
- 7. INSTRUCT the CAO to prepare a staffing plan for the construction of the Police Headquarters Facility and report the recommendations to the City Council for consideration subsequent to the release of the Mayor's proposed Fiscal Year 2004-05 Budget.**

CONTINUED AND REFERRED

AMENDING MOTION (PARKS - MISCIKOWSKI)

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR (Recommendations 6-12 Only):

The recommendations below will effectuate the purchase and improvement of the Transamerica Broadway Building (Broadway Building):

- 1. INSTRUCT the Chief Legislative Analyst (CLA), with the assistance of the Department of General Services (GSD), City Attorney, Bureau of Engineering (BOE) and other departments as necessary, to conclude negotiations and finalize all agreements for the purchase of the Broadway Building as specified in the owner's proposal.**
- 2. INSTRUCT the GSD and the BOE to proceed with stacking plans, tenant improvement designs and schedules for the Broadway Building consistent with the long-term space plans previously approved, including those Los Angeles Police Department functions currently housed in leased space that were approved for temporary relocation to the Broadway Building.**
- 3. AUTHORIZE the acceptance of the assignment of the CB Richard Ellis Agreement (attached to the Council file) as specified in "Exhibit E" of the Purchase and Sale Agreement between the Seller and the City of Los Angeles for the management of the Broadway Building for a temporary period not to exceed 18 months from the close of escrow.**
- 4. INSTRUCT the GSD to report to the City Council with recommendations on which building management functions provided under the Agreement in recommendation No. 3, above, should subsequently be assumed by City forces or outside vendors, or continue to be shared with current ownership.**
- 5. AUTHORIZE the President of the Los Angeles City Council to execute all agreements to effectuate the City's purchase and improvement of the Broadway Building at 1149 South Broadway.**
- 6. DESIGNATE the Municipal Facilities Committee (MFC) as the oversight committee for the Broadway Building project with same powers and duties on this project as were granted to the MFC for the City Hall East project pursuant to Council file No. 00-0512-S1 and AUTHORIZE the MFC to implement the Council's instructions for the Broadway Building as specified in Council file No. 03-0063.**

7. **AUTHORIZE** the BOE and the GSD to utilize the construction forces, construction management services, and hiring hall staff currently completing fire life/safety and tenant improvements in City Hall East to expedite completion of all necessary tenant improvements at the Broadway Building, and to negotiate and execute necessary amendments to existing agreements to accomplish this, subject to the approval of the MFC and of the City Attorney as to form and legality.
8. **AUTHORIZE** a loan of \$1,500,000 from the Public Works Trust Fund, Fund No. 834, Department No. 50 for use as a deposit on the purchase of the Broadway Building, to be repaid from the proceeds of the Municipal Improvement Corporation of Los Angeles (MICLA) issuance for this project.
9. **AUTHORIZE** the Controller to draw a demand in the amount of \$1,500,000 from the Public Works Trust Fund, Fund No. 834 to be paid pursuant to the Escrow instructions and the Purchase & Sale Agreement for this transaction.
10. **AUTHORIZE** the Department of Public Works to process a payment a of \$1,500,000 from the Public Works Trust Fund, Fund No. 834, Department No. 50, Account No. 000H, Trans America Broadway Building, to be paid by wire transfer for the purpose of depositing the amount to escrow.
11. **INSTRUCT** the Controller to process the reimbursement of \$1.5 million loan, without interest, to the public Works Trust Fund No. 834, Department No. 50, from bond proceeds in the MICLA Commercial Paper Lease Financing Program Fund (Transamerica Broadway Building Project) no later than June 30, 2004.
12. **AUTHORIZE** the Controller, subject to the approval of the City Administrative Officer, to:
 - a. Establish all the necessary accounts for the disbursement of monies or the purchase of and improvements to the Broadway Building.
 - b. Move funds and transfer appropriations between departments and accounts as needed to complete the purchase of and tenant improvements to the Broadway Building as long as the overall program budget is not exceeded.

CONTINUED AND REFERRED

AMENDING MOTION (PARKS - MISCIKOWSKI)

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR (Recommendations 2-5 Only):

The recommendations below will allow for the construction of tenant improvements to the Transamerica Broadway Building (Broadway Building) for it to serve as a permanent headquarters for all Public Works bureaus and operations:

1. **INSTRUCT** the Department of General Services and the Bureau of Engineering to proceed with stacking plans as previously approved in Council file No. 03-0063, but exclude from that plan all Los Angeles Police Department (LAPD) functions currently in Parker Center who will now remain at this location until their relocation to a permanent LAPD headquarters to be constructed on the Temple and Alameda property.
2. **AUTHORIZE** the use of Municipal Improvement Corporation of Los Angeles financing not to exceed \$105,000,000 for the purchase and completion of tenant improvements of the Broadway Building and **AUTHORIZE** the expenditure of these funds for the acquisition of the building and all related closing costs, as well as all tenant improvements.
3. **MODIFY** the Fiscal Year (FY) 2003-04 budget appropriation for the Wastewater System Capital Improvement Expenditure Program by the addition of \$11 million in an account No. VG81 titled "TA-Broadway Building" in the Sewer Capital Fund No. 761 and **AUTHORIZE** the Chief Accounting Employee for the Department of Public Works to draw a demand from this account in the amount of \$11 million for the Sewer Construction and Maintenance Fund (SCMF) share of the purchase price to be paid pursuant to the escrow instructions for this transaction.
4. **AUTHORIZE** the Chief Accounting Employee for the Department of Public Works to transfer up to \$9 million in the FY 2004-05 budget appropriation for the Wastewater System Capital Improvement Expenditure Program from other project accounts to an account titled "TA-Broadway Building" for the SCMF participation in tenant improvements, as directed by the Director of Sanitation.
5. **DIRECT** the Bureau of Sanitation and the Public Works, Office of Accounting to include the SCM portion of the building in the SCMF fixed assets and evaluate the SCM-funded occupancy of the building on at least an annual basis.

CONTINUED AND REFERRED

AMENDING MOTION (PARKS - MISCIKOWSKI)

Recommendation for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR (Recommendation 2 Only):

The recommendations below will allow for the construction of tenant improvement to the Transamerica Broadway Building (Broadway Building) for it to serve as a temporary headquarters for the Los Angeles Police Department (LAPD) and a permanent headquarters for all Public Works bureaus following completion of a permanent headquarters building for the LAPD:

1. **INSTRUCT** the Department of General Services and the Bureau of Engineering to proceed with stacking plans as previously approved in Council file No. 03-0063, but also include in that plan the temporary relocation to the Broadway Building of all functions currently in Parker Center, and the subsequent permanent relocation of all Public Works bureaus to this facility following construction of a permanent headquarters for the LAPD on the Temple and Alameda property.

2. AUTHORIZE the use of Municipal Improvement Corporation of Los Angeles financing not to exceed \$150,000,000 for the purchase and completion of tenant improvements of the Broadway Building and AUTHORIZE the expenditure of these funds for the acquisition of the building and all related closing costs, as well as all tenant improvements.

CONTINUED AND REFERRED

AMENDING MOTION (PARKS - MISCIKOWSKI)

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR (Recommendation 2 Only):

The recommendations below will allow for the construction of tenant improvement to the Transamerica Broadway Building (Broadway Building) for it to serve as a permanent headquarters for the Los Angeles Police Department.

1. INSTRUCT the Department of General Services and the Bureau of Engineering to proceed with stacking plans as previously approved in Council file No. 03-0063, but also include in that plan the permanent relocation to the Broadway Building of all functions currently in Parker Center.
2. AUTHORIZE the use of Municipal Improvement Corporation of Los Angeles financing not to exceed \$230,000,000 for the purchase and completion of tenant improvements of the Broadway Building and AUTHORIZE the expenditure of these funds for the acquisition of the building and all related closing costs, as well as all tenant improvements.

CONTINUED AND REFERRED

AMENDING MOTION (GARCETTI - GREUEL - REYES)

Recommendation for Council action:

REQUEST that the Controller immediately select an outside audit firm to fully review this transaction to independently address all outstanding issues and concerns raised in the Council debate, DETERMINE the validity of this transaction, and report through the Information Technology and General Services Committee to the City Council with its findings within three weeks.

ITEM NO. (56) - ADOPTED

Roll Call #14 - Motion (Miscikowski - LaBonge) Adopted, Ayes (15)

02-0708 - RESOLUTION (MISCIKOWSKI - LABONGE) relative to designating May 20, 2004 as "Bike to Work Day in Los Angeles."

Recommendation for Council action:

ADOPT the accompanying RESOLUTION designating May 20, 2004 as "Bike to Work Day in Los Angeles" to encourage employers, all Los Angeles companies, and organizations to develop corporate bicycle programs to assist employees in incorporating bicycling in all their trip-making.

**Roll Call #7 - Motion (Miscikowski - Smith) Adopted, Ayes (15)
(Item Nos. 57-59)**

ITEM NO. (57) - APPROVED - CITY ENGINEER REPORT ADOPTED

04-0964 - PARCEL MAP L.A. NO. 2001-4424 lying westerly of Lankershim Boulevard on the
CD 4 north side of Chiquita Street.
(ADOPT City Engineer Report)
(Quimby Fee: \$ 1,341)
Applicants: Godfrey R. Cooper-Smith
Oscar Ensafi

ITEM NO. (58) - APPROVED - CITY ENGINEER REPORT ADOPTED

04-0965 PARCEL MAP L.A. NO. 2000-9953 and RESOLUTION lying northerly of Ventura
CD 5 Boulevard and easterly of Haskell Avenue.
(Approve Subdivision Improvement Agreement and Contract with
attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-106540)
(Quimby Fee: \$ 3,028)
Applicants: Shawn Antin
Gregory Taylor

ITEM NO. (59) - APPROVED - CITY ENGINEER REPORT ADOPTED

04-0966 - PARCEL MAP L.A. NO. 7127 lying westerly of Cedros Avenue and southerly of
CD 6 Vanowen Street.
(Approve Subdivision Improvement Agreement and Contract with
attached security documents)
(ADOPT City Engineer Report)
(ADOPT Bond No. C-106541)
(Quimby Fee: \$ 3,747)
Applicants: David Ortiz
Victor Beck

Item for Which Public Hearing Has Been Held - Item 60

ITEM NO. (60) - CONTINUED TO MAY 26, 2004

Roll Call #1 - Motion (LaBonge - Perry) Adopted to Continue, Unanimous Vote (14);
Absent: Garcetti (1)

04-0002 - RESOLUTION (PADILLA - WEISS) relative to supporting Assembly Bill 2997 (Firebaugh)
S93 which would prohibit smoking in cars when small children are present.

(Arts, Parks, Health and Aging Committee report to be submitted in Council. If public hearing is not held in Committee, an opportunity for public comments will be provided.)

Item for Which Public Hearing Has Been Held - Item 61

ITEM NO. (61) - ADOPTED

Roll Call #15 - Motion (Zine - LaBonge) Adopted, Ayes (15)

04-0002 - CONTINUED CONSIDERATION OF ARTS, PARKS, HEALTH AND AGING
S29 COMMITTEE REPORT and RESOLUTION relative to supporting legislation that would allow Americans to buy prescription drugs from Canada.

Recommendation for Council action, pursuant to Resolution (Zine - LaBonge - et al.),
SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION establishing a position of SUPPORT in the City's 2003-04 State Legislative Program for Senate Bill (SB) 1144 (Burton) and House of Representatives Bill (HR) 2427, the Pharmaceutical Market Access Act of 2003, which would allow Americans to buy prescription drugs from Canada.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst. The City Administrative Officer has not completed a financial analysis of this report.

MOTION ADOPTED UPON FINDINGS BY COUNCIL THAT THE NEED TO TAKE ACTION AROSE SUBSEQUENT TO THE POSTING OF THE COUNCIL AGENDA FOR WEDNESDAY, MAY 19, 2004, PURSUANT TO GOVERNMENT CODE SECTION 54954.2(b)(2) AND COUNCIL RULE 23

ADOPTED - FORTHWITH

Roll Call #18 - Motion (Miscikowski - Parks) Findings on Need to Act - Adopted, Ayes (15);
Roll Call #19 - Motion (Miscikowski - Parks) Adopted, Ayes (15);

01-0878 - MOTION (MISCIKOWSKI - PARKS) and RESOLUTION relative to funding for the
S1 continuation of the City's Narcotics Enforcement Surveillance Team project.

Recommendations for Council action:

1. **APPROVE** the Grant Award application for Fiscal Year 2004-05 project funding in the amount of \$1,748, 430 for a twelve-month period, July 1, 2004 through June 30, 2005, subject to the approval of the City Attorney as to form and legality.
2. **ADOPT** the accompanying RESOLUTION to authorize the Mayor, or the Director of the Mayor's Criminal Justice Planning Office, to execute forthwith the grant award face sheet and assurance of compliance certification, and submit the application package to the California Office of Criminal Justice Planning on behalf of the City.

MOTIONS PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

- 04-0010 - MOTION (CARDENAS - GREUEL) relative to an offer of reward for information leading to the identification, apprehension, and conviction of the person(s) responsible for the death of Garen Ketikyan on March 9, 2004.
S26
- 04-0010 - MOTION (PARKS - SMITH) relative to reinstating the reward offer in the death of Norman Antonio Moore for an additional 60 days.
S3
- 00-1626 - MOTION (LABONGE - VILLARAIGOSA) relative to reprogramming funds for the Homeboy Industries, Jobs for the Future Program.
S1

RESOLUTION PRESENTED PURSUANT TO RULE NO. 16 - TO BE PLACED ON THE NEXT AVAILABLE AGENDA

- 04-0998 - RESOLUTION (GREUEL - LABONGE) relative to declaring the month of May as "Safe Jobs for Youth Month."

COUNCILMEMBERS' REQUESTS FOR EXCUSE FROM COUNCIL MEETINGS

Upon her request, and without objections, Councilmember Miscikowski was excused from Council session of Tuesday, June 1, 2004 due to personal business.

Upon his request, and without objections, Councilmember Garcetti was excused to leave at 11:45 a.m. from Council session of Tuesday, May 25, 2004 and to arrive at 10:45 a.m. to Council session of Friday, June 18, 2004 due to City business.

COMMENDATORY RESOLUTIONS ADOPTED IN HONOR OF:

04-0606 - Marcia Schwartz (Smith - All Councilmembers)
Los Angeles River Greenway Project
Poetry Contest Winners (Greuel - Reyes)
Veterans Appreciation Month (Zine - All Councilmembers)

**At the conclusion of this day's Council Session
ADJOURNING MOTIONS WERE ADOPTED in tribute to the memory of:**

04-0607 - Bryan Lockley (Parks - Perry - All Councilmembers)
Tony Randall (LaBonge - All Councilmembers)
Gertrude Dorothy Scharlin (Zine)
James Earl Chapman (Padilla)

Ayes, Cardenas, Garcetti, Greuel, Hahn, LaBonge, Ludlow, Miscikowski, Parks, Perry, Reyes, Smith, Villaraigosa, Weiss, Zine and President Padilla (15)

Whereupon the Council did adjourn.

ATTEST: J. Michael Carey, CITY CLERK

By
Council Clerk PRESIDENT OF THE CITY COUNCIL